

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:05CR357
	)	
v.	)	
	)	
KEVIN J. SPELLMAN,	)	ORDER
	)	
Defendant.	)	
_____	)	

On December 4, 2006, the defendant appeared through counsel on a motion for reduction of sentence (Filing No. 43) filed by the plaintiff pursuant to Rule 35 of the Federal Rules of Criminal Procedure. After considering the comments of the parties and after evaluating the assistance provided by the defendant, the Court finds that the government's motion for reduction of sentence should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion for reduction of sentence is granted.
- 2) Defendant be committed to the custody of the Bureau of Prisons for a term of forty-eight (48) months. Defendant is to be given credit for time previously served under the previous Judgment and Committal Order dated April 5, 2006, which was signed and filed on April 5, 2006 (Filing No. 39).
- 3) All other terms and conditions of the Judgment and Committal Order dated April 5, 2006, remain in full force and effect.

4) That the transcript of the Rule 35 hearing of December 4, 2006, be sealed.

DATED this 4th day of December, 2006.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

**ACKNOWLEDGMENT OF RECEIPT**

I hereby acknowledge receipt of a copy of this judgment this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Signature of Defendant

**RETURN**

It is hereby acknowledged that the defendant was delivered on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ to \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_

**NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of receipt, above.**

**CERTIFICATE**

It is hereby certified that a copy of this judgment was served upon the defendant this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
UNITED STATES WARDEN

By: \_\_\_\_\_